

m0470089

Leslie Heppler - TME Mine informal addendum

From: Chris Ennes <ChrisEnnes@amesco.com>
To: <lheppler@utah.gov>
Date: 08/19/2008 3:34 PM
Subject: TME Mine informal addendum
CC: Lennie Boteilho <LBoteilho@amesco.com>
Attachments: Appendix10andpage35NOI.pdf

Hey Leslie,

Please find attached Appendix 10 with supplemental approvals/concurrences with the exception of SITLA archaeology; Kenny Wintch has yet to respond. Also attached is the revised page 35 of 46 Attachment II of the NOI. We did not reference an air quality permit number per our conversation yesterday because Ames Construction may not be the sole operator of the crushing and screening or hypothetically even involved in the future. Permit references other than TME controlled, shall remain separate from the NOI. Also, as you predicted, Ames nor TME will not commit to language that would limit ore processing relative to DAQ permitting. Again, we view this as an independent variable from DOGM's large mining permit issuance.

Let this e-mail memorialize that we commit to providing two electronic versions of the NOI and will ensure SITLA is updated once DOGM issues the final approval.

Please contact me if you have any comments and questions. Our (TME and Ames) next task is to finalize the reclamation contract and secure a letter of credit in order to obtain DOGM's official large mine operating permit approval.

Thanks,

Christopher Ennes

Environmental Manager

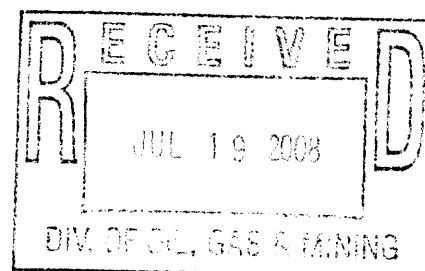
Ames Construction Company

Salt Lake City, UT

Office: 801-977-8012

Mobile: 775-848-4048

chrisennes@amesco.com



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periods of time before backfilling and shaping to achieve a 3h:1v slope, lessening further the potential for slope stability problems in these areas. In addition, the pit will be dry avoiding water-enhanced stability issues.

Air Quality

Impacts on air quality are deemimis for mining operations. Air quality will be mitigated and managed utilizing a Fugitive Dust Control Plan (FDCP) developed just prior to large mining operation startup. This Plan will ensure compliance with Utah Division of Air Quality requirements for fugitive dust. Principally this plan will provide best management practices, mechanisms and procedures for minimizing dust from mining, roadways, and stockpiles. Best management practices will include but are not limited to: speed control, watering and paving. The natural surface soils contain a low to moderate level of oil/asphalt and the mined materials contain a heavy oil content, therefore traffic ways and stock piles will be naturally bond by the oil content.

Point source emissions from portable propane-fired oil heating units are anticipated for the process facilities on an intermittent, seasonal basis. The applicant has submitted documentation to the Division of Air Quality (DAQ) addressing its intended utilization of the oil heaters which may or may not qualify the site for a Small Source Exemption Permit. Consequently, a comprehensive analysis to determine permitting is underway. Supplemental plant space heat is not anticipated to require air permitting. The oil recovery process is a non-thermal process which will not require a point source air quality discharge permit.

Point source crushing, screening plants and conveyors will be permitted through the Utah Division Of Air Quality. Again, because of the nature of the ore being oil saturated fugitive dust generated from processing is unlikely.

Public Health and Safety

No adverse impacts on public health and safety are projected for the mining operations. Public safety will be managed with fencing, berms and signage. Visitors and guests to the site are required to complete MSHA Site Orientation Training prior to any onsite activity other than driving to designated parking areas at the plant office area. Extensive onsite visits and/or construction work requires additional levels of MSHA training. These measures, coupled with the relative remoteness of the site and limited public utilization of the surrounding areas are believed to limit the likelihood for impacts to public health and safety.

5. The applicant does not anticipate any significant and substantial actions, outside of the plans, procedures, and compliance provisions referenced elsewhere in this NOI, to be implemented to mitigate any of the above referenced environmental issues or deemimis associated impacts.

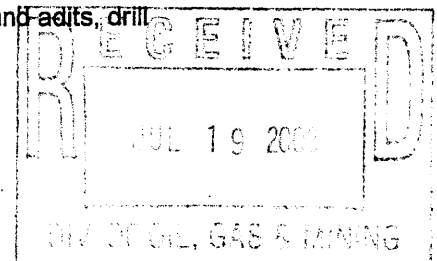
R647-4-110. Reclamation Plan

A narrative description of the plan to complete this reclamation is found below.

1. The current land use for the area consists of mining and contiguous wildlife habitat. The applicant has designed the reclamation plan for this large mining operation to be conducive to a post-mining land use as wildlife habitat. This designation will accommodate the unique relationship of the onsite perennial stream as a critical habitat feature.

It is noted that the designated post-mining land use is based on the mining plan submitted and nothing in this plan shall preclude re-mining of the area in the future.

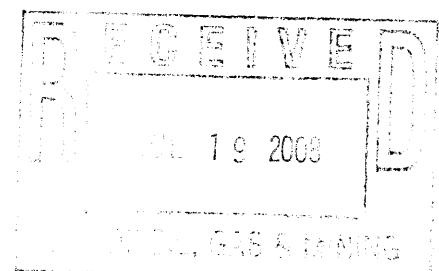
2. The following narrative descriptions depict the general manner and anticipated extent to which roads, high-walls, slopes, impoundments, drainages, pits and ponds, piles, shafts and adits, drill



APPENDIX 10

SITLA Clearances/Approvals

- Attachment 1 – SITLA Surety Bond Concurrence via e-mail
- Attachment 2a – Office of the State Paleontologist concurrence; NE1/4 SE1/4 Section 36, T5S, R21E (IPC #08-158, July 18, 2008) via e-mail
- Attachment 2b – Office of the State Paleontologist concurrence; SW1/4 SW1/4 Section 31, T5S, R22E (IPC #08-177, July 29, 2008) via e-mail
- Attachment 3 – Archaeology – Determination of “no effect” SITLA concurrence



Attachment 1

From: "Leslie Heppler" <lheppler@utah.gov>
To: <chrisEnnes@amesco.com>

Date: Tuesday, August 19, 2008 08:10AM
Subject: Fwd: Re: Surety Bond Concurrence for TME

Leslie Heppler
Utah Division of Oil, Gas & Mining
(801) 538-5257 (Mon thru Thur)
lhheppler@utah.gov

----- Message from "William Stokes" <WSTOKES@utah.gov> on Thu, 17 Jul 2008 10:36:09 -0600 -----

To: "Leslie Heppler" <LHEPPLER@utah.gov>
Subject: Re: Surety Bond Concurrence for TME

Leslie I finally had a chance to review the mine plan and your reclamation estimate. The surety amount you have proposed satisfies the requirements of the Trust Lands Administration.

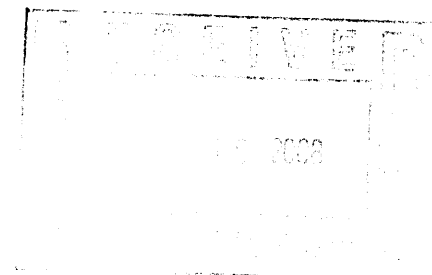
>>> Leslie Heppler 7/16/2008 10:49 AM >>>
Will -

I have reviewed the NOI for the Large Mine Notice (S0470089) for their Tar sands operations in Uintah County. The surety amount is \$1,151,713.00 as attached in .pdf format. In summary the amount is based on 124 acres & 1 process module.

Please send your concurrence via email. If you have any questions please call me at 801-538-5257

thx-lah

Leslie Heppler
Utah Division of Oil, Gas & Mining
(801) 538-5257 (Mon thru Thur)
lhheppler@utah.gov



From: "Leslie Heppler" <lheppler@utah.gov>
To: <chrisennes@amesco.com>
cc: "Dana Dean" <DANADEAN@utah.gov>

Attachment 2A

Date: Tuesday, July 22, 2008 04:58PM
Subject: Fwd: Re: Paleo Concurrence - TME Mine M0470089
History: ✉ This message has been replied to and forwarded.

Chris - Here is on the Paleo concurrence for Sec 36. Please note that the survey did NOT include section 31. lah

Leslie Heppler
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(801) 538-5257 (Mon thru Thur)
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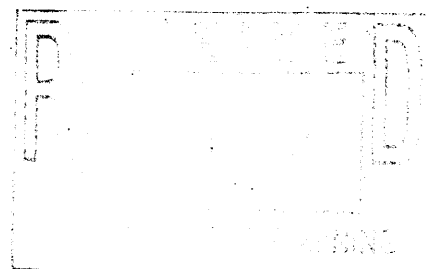
>>> Martha Hayden 7/22/2008 4:49 PM >>>
Leslie,

On May 28, 2008 the office of the State Paleontologist commented in response to the Resource Development Coordinating Committee (RDCC) Project #9327: *TME Asphalt Ridge Mine #1 Proposal to expand the mine from a small mine to a large mine operation* with a recommendation to conduct a paleontological survey for this project and its easements (attached). Intermountain Paleo-Consulting conducted a Paleontological Reconnaissance Survey for the NE1/4, SE1/4, Section 36, T5S, R21E (IPC #08-158, July 18, 2008) . No fossils were discovered during this survey, and the recommendation was that no paleontological restrictions be placed on this project unless fossils are discovered during construction within the project area.

The office of the State Paleontologist agrees with these recommendations. However, there is no record of a paleontological survey for the Section 31, T5S, R22E portion of this project area. So we cannot provide paleontological concurrence for this portion of the project area, and recommend that an additional paleontological survey be conducted for the portions of Section 31 that will be impacted by ground disturbing activities.

Please let me know if you have any questions. Thanks, Martha

Martha Hayden
Utah Geological Survey
1594 W. North Temple
P.O. Box 146100
Salt Lake City UT 84114-6100
(801) 537-3311
(801) 537-3400 (FAX)
marthahayden@utah.gov



>>> Leslie Heppler 07/22/2008 2:27 pm >>>
Martha - Can you give me Paleo concurrence on:
T5S, R22E Section 31 (SW 1/4)
T5S, R21E Section 36 (SE 1/4)
Please send your concurrence via email. If you have any questions please call me at 801-538-5257

From: "Leslie Heppler" <lheppler@utah.gov>
To: <chrisennes@amesco.com>
cc: "Dana Dean" <DANADEAN@utah.gov>

Attachment 2B

Date: Tuesday, August 19, 2008 07:14AM
Subject: Fwd: Re: Paleo Concurrence - TME Mine M0470089
History: ✦ This message has been replied to.

FYI

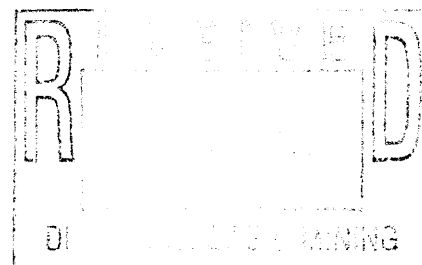
Leslie Heppler
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lheppler@utah.gov

----- Message from "Martha Hayden" <MARTHAHAYDEN@utah.gov> on Mon, 18 Aug 2008 18:31:02 -0600 -----

To: "Leslie Heppler" <LHEPPLER@utah.gov>
Subject: Re: Paleo Concurrence - TME Mine M0470089
 Leslie,

We have reviewed the Paleontological Reconnaissance Survey Report by Intermountain Paleo-Consulting (IPC #08-177) for the Section 31, T5S, R22E portion of the TME Asphalt Ridge Mine #1. We concur with the mitigation recommendations that no paleontological restrictions be placed on this project unless fossils are discovered during construction within the project area. Please let me know if you have any questions. Thanks, Martha

Martha Hayden
 Utah Geological Survey
 1594 W. North Temple
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marthahayden@utah.gov



Beginning August 8, 2008, our offices will be closed on Friday. Our office hours of operation will be expanded to 7:00 a.m. to 6:00 p.m., Monday through Thursday (except holidays).

>>> Leslie Heppler 08/18/2008 8:44 am >>>
 Martha - It is my understanding that you have received another Paleo report for the TME mine. Can you give me Paleo concurrence on:
 T5S, R22E Section 31 (SE 1/4)

Please send your concurrence via email. If you have any questions please call me at 801-538-5257